

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETERS & MAY GMBH

Plaintiff,

- against -

SOCIETE NATIONALE D'ENTREPRISE,  
MR. KHOURY JOSEPH, AND  
MR. SIMON ABI SALEH, D/B/A  
AND/OR ABSAL

Defendants.  
-----X

08-CV-02200 (JSR) (MHD)

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for  
the Southern and Eastern District of New York, I, LILI F. BENEDA, a member in good standing  
of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* of

Applicant's Name: Jason Waguespack  
Firm Name: Galloway, Johnson, Tompkins, Burr & Smith  
Address: One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
City/State/Zip: New Orleans, Louisiana 70139  
Phone Number: (504) 525-6802  
Fax Number: (504) 525-2456

Jason Waguespack is a member in good standing of the Supreme Court of Louisiana. There are

FILED  
U.S. DISTRICT COURT  
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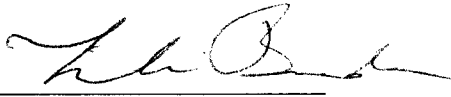
9180-645205

no pending disciplinary proceedings against Jason Waguespack in any State or Federal Court.

Dated: March 19, 2008  
New York, New York

Respectfully submitted,

CONDON & FORSYTH LLP

By: 

Lili F. Beneda (LB 1879)  
7 Times Square, 18<sup>th</sup> Floor  
New York, New York 10036  
Telephone: (212) 894 -6778  
Facsimile: (212) 597-6721

Attorneys for Plaintiff  
Peters & May GmbH

cc: (Via Mail, E-mail & Facsimile)

Jason Waguespack, Esq.  
Michael J. Nicaud, Esq.  
Galloway, Johnson, Tompkins, Burr & Smith  
One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
New Orleans, Louisiana 70139  
Attorneys for Plaintiff, Peters & May GmbH  
Tel: 504-525-6802  
Fax: 504-525-2456  
E-mail: [jwaguespack@gjtbs.com](mailto:jwaguespack@gjtbs.com) & [mnicaud@gjtbs.com](mailto:mnicaud@gjtbs.com)

Societe Nationale D'Entreprises  
Joseph G. Khoury  
International Private Company  
P.O. Box 11-8251  
Beirut, Lebanon  
Tel: 961-01-901100  
Fax: 961-01-9022020

ABSAL

Mr. Simon Abi Saleh

Mdawar-Rue Al-Kouz

P.O. Box 175424

Beirut, Lebanon

Tel: 1-443536-446675

Fax: 1-445692-443876

Email: [absaltr@hotmail.com](mailto:absaltr@hotmail.com)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PETERS & MAY GMBH

Plaintiff,

- against -

SOCIETE NATIONALE D'ENTREPRISE,  
MR. KHOURY JOSEPH, AND  
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Defendants.  
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08-CV-02200 (JSR) (MHD)

**MOTION TO ADMIT COUNSEL  
PRO HAC VICE**

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern District of New York, I, LILI F. BENEDA, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Michael J. Nicaud  
Firm Name: Galloway, Johnson, Tompkins, Burr & Smith  
Address: One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
City/State/Zip: New Orleans, Louisiana 70139  
Phone Number: (504) 525-6802  
Fax Number: (504) 525-2456

Michael J. Nicaud is a member in good standing of the Supreme Court of Louisiana. There are

no pending disciplinary proceedings against Michael J. Nicaud in any State or Federal Court.

Dated: March 19, 2008  
New York, New York

Respectfully submitted,

CONDON & FORSYTH LLP

By: 

Lili F. Beneda (LB 1879)  
7 Times Square, 18<sup>th</sup> Floor  
New York, New York 10036  
Telephone: (212) 894 -6778  
Facsimile: (212) 597-6721

Attorneys for Plaintiff  
Peters & May GmbH

cc: (Via Mail, E-mail & Facsimile)

Jason Waguespack, Esq.  
Michael J. Nicaud, Esq.  
Galloway, Johnson, Tompkins, Burr & Smith  
One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
New Orleans, Louisiana 70139  
Attorneys for Plaintiff, Peters & May GmbH  
Tel: 504-525-6802  
Fax: 504-525-2456  
E-mail: [jwaguespack@gjtbs.com](mailto:jwaguespack@gjtbs.com) & [mnicaud@gjtbs.com](mailto:mnicaud@gjtbs.com)

Societe Nationale D'Entreprises  
Joseph G. Khoury  
International Private Company  
P.O. Box 11-8251  
Beirut, Lebanon  
Tel: 961-01-901100  
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ABSAL

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Mdawar-Rue Al-Kouz

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Email: [absaltr@hotmail.com](mailto:absaltr@hotmail.com)

UNITED STATES DISTRICT COURT  
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PETERS & MAY GMBH

Plaintiff,

- against -

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MR. KHOURY JOSEPH, AND  
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Defendants.  
-----X

08-CV-02200 (JSR) (MHD)

**AFFIDAVIT OF LILI F. BENEDA  
IN SUPPORT OF MOTION TO  
ADMIT COUNSEL PRO HAC VICE**

State of New York           §  
                                      §  
County of New York       §

LILI F. BENEDA, being duly sworn, deposes and says as follows:

1. I am an associate with Condon & Forsyth LLP, counsel for Plaintiff Peters & May GmbH ("Peters & May") in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff Peters & May's motion to admit Michael J. Nicaud as counsel *pro hac vice* to represent Plaintiff BBC in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 2005. I am also admitted to the bar of the United States District of New York, and am in good standing with this Court.
3. I have known Michael J. Nicaud since approximately 2001.
4. Mr. Nicaud is an associate at Galloway, Johnson, Tompkins, Burr & Smith.
5. I have found Mr. Nicaud to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Civil Procedure.
6. Attached hereto as Exhibit A is a Certificate from the Louisiana Supreme Court which has been issued within thirty days of this motion, and which states that Michael J. Nicaud is a member in good standing of the Louisiana State Bar.

7. Accordingly, I am pleased to move the admission of Michael J. Nicaud, *pro hac vice*.
8. I respectfully submit a proposed order granting the admission of Michael J. Nicaud, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Michael J. Nicaud, *proc hac vice*, to represent Peters & May in the above captioned matter, be granted.

  
Lili F. Beneda

Subscribed and sworn to before me  
this 19<sup>th</sup> day of March, 2008.

  
Notary Public

**BEATRIZ ROMERO**  
**Notary Public, State of New York**  
**No. 01RO6176808**  
**Qualified in Orange County**  
**Commission Expires November 5, 20 11**



**United States of America**  
**State of Louisiana**  
**Supreme Court of the State of Louisiana**

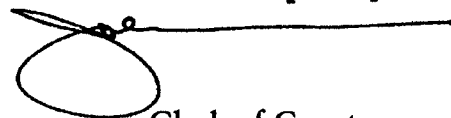
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I, JOHN TARLTON OLIVIER, Clerk of the Supreme Court of the State of Louisiana, do hereby certify that

**MICHAEL J. NICAUD, JR., ESQ., #29365**

was duly admitted and licensed to practice as an attorney and counselor at law in this Court and the several courts of the State of Louisiana, on the 15th Day of October, 2004 A.D.; and is currently in good standing, and sufficiently qualified to perform the duties of an attorney and counselor at law.

IN WITNESS WHEREOF, I hereunto sign  
my name and affix the seal of this Court,  
at the City of New Orleans, this the 14th  
Day of March, 2008, A.D.

A handwritten signature in black ink, appearing to read "John Tarlton Olivier", written over a horizontal line.

Clerk of Court  
Supreme Court of Louisiana

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETERS & MAY GMBH

Plaintiff,

- against -

SOCIETE NATIONALE D'ENTREPRISE,  
MR. KHOURY JOSEPH, AND  
MR. SIMON ABI SALEH, D/B/A  
AND/OR ABSAL

Defendants.  
-----X

08-CV-02200 (JSR) (MHD)

**ORDER FOR ADMISSION PRO  
HAC VICE ON WRITTEN  
MOTION**

Upon the motion of LILI F. BENEDA, attorney for Plaintiff Peter's & May GmbH  
("Peters & May"), and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Applicant's Name: Michael J. Nicaud  
Firm Name: Galloway, Johnson, Tompkins, Burr & Smith  
Address: One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
City/State/Zip: New Orleans, Louisiana 70139  
Phone Number: (504) 525-6802  
Fax Number: (504) 525-2456

is admitted to practice *pro hac vice* as counsel for Plaintiff Peters & May in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel has

forwarded the *pro hac vice* fee to the Clerk of the Court.

Dated: March \_\_\_\_, 2008  
New York, New York

---

Hon. Jed S. Rakoff  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETERS & MAY GMBH

Plaintiff,

- against -

SOCIETE NATIONALE D'ENTREPRISE,  
MR. KHOURY JOSEPH, AND  
MR. SIMON ABI SALEH, D/B/A  
AND/OR ABSAL

Defendants.  
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08-CV-02200 (JSR) (MHD)

**AFFIDAVIT OF LILI F. BENEDA  
IN SUPPORT OF MOTION TO  
ADMIT COUNSEL PRO HAC VICE**

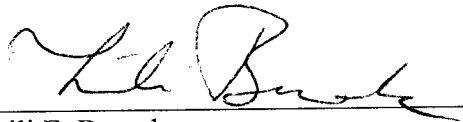
State of New York           §  
                                      §  
County of New York       §

LILI F. BENEDA, being duly sworn, deposes and says as follows:

1. I am an associate with Condon & Forsyth LLP, counsel for Plaintiff Peters & May GmbH ("Peters & May") in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiff Peters & May's motion to admit Jason Waguespack as counsel *pro hac vice* to represent Plaintiff Peters & May in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 2005. I am also admitted to the bar of the United States District of New York, and am in good standing with this Court.
3. Mr. Waguespack is a partner at Galloway, Johnson, Tompkins, Burr & Smith.
4. I have found Mr. Waguespack to be a skilled attorney and a person of integrity. He is experienced in federal practice and is familiar with the Federal Rules of Procedure.
5. Attached hereto as Exhibit A is a Certificate from the Louisiana Supreme Court which has been issued within thirty days of this motion, and which states that Jason Waguespack is a member in good standing of the Louisiana State Bar.
6. Accordingly, I am pleased to move the admission of Jason Waguespack, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Jason Waguespack, *pro hac vice*, which is attached hereto as Exhibit B.

WHEREFORE, it is respectfully requested that the motion to admit Jason Waguespack, *proc hac vice*, to represent Peters & May in the above captioned matter, be granted.

  
Lili F. Beneda

Subscribed and sworn to before me  
this 19<sup>th</sup> day of March, 2008.

  
Notary Public

**BEATRIZ ROMERO**  
Notary Public, State of New York  
No. 01RO6176808  
Qualified in Orange County  
Commission Expires November 5, 20 11

United States of America

State of Louisiana

**Supreme Court of the State of Louisiana**

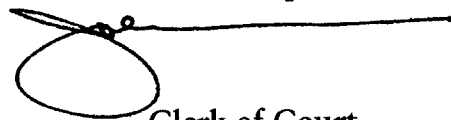
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I, JOHN TARLTON OLIVIER, Clerk of the Supreme Court of the State of Louisiana, do hereby certify that

**JASON PAUL WAGUESPACK, ESQ., #21123**

was duly admitted and licensed to practice as an attorney and counselor at law in this Court and the several courts of the State of Louisiana, on the 11th Day of October, 1991 A.D.; and is currently in good standing, and sufficiently qualified to perform the duties of an attorney and counselor at law.

IN WITNESS WHEREOF, I hereunto sign  
my name and affix the seal of this Court,  
at the City of New Orleans, this the 14th  
Day of March, 2008, A.D.

A handwritten signature in black ink, appearing to read "John Olivier", written over a horizontal line.

Clerk of Court  
Supreme Court of Louisiana

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETERS & MAY GMBH

Plaintiff,

- against -

SOCIETE NATIONALE D'ENTREPRISE,  
MR. KHOURY JOSEPH, AND  
MR. SIMON ABI SALEH, D/B/A  
AND/OR ABSAL

Defendants.  
-----X

08-CV-02200 (JSR) (MHD)

**ORDER FOR ADMISSION PRO  
HAC VICE ON WRITTEN  
MOTION**

Upon the motion of LILI F. BENEDA, attorney for Plaintiff Peters & May GmbH  
("Peters & May"), and said sponsor attorney's affidavit in support:

**IT IS HEREBY ORDERED** that

Applicant's Name: Jason Waguespack  
Firm Name: Galloway, Johnson, Tompkins, Burr & Smith  
Address: One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
City/State/Zip: New Orleans, Louisiana 70139  
Phone Number: (504) 525-6802  
Fax Number: (504) 525-2456

is admitted to practice *pro hac vice* as counsel for Plaintiff Peter & May in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel has forwarded the *pro hac vice* fee to the Clerk of the Court.

Dated: March \_\_\_\_, 2008  
New York, New York

\_\_\_\_\_  
Hon. Jed S. Rakoff  
United States District Judge

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

Robin L. Todd, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age and resides in Yonkers, New York, and that on the 19<sup>th</sup> day of March 2008, deponent served the within **MOTION FOR ADMISSION *PRO HAC VICE* FOR JASON WAGUESPACK, MOTION FOR ADMISSION *PRO HAC VICE* FOR MICHAEL J. NICAUD, AFFIDAVIT FROM LILI F. BENEDA IN SUPPORT OF THE MOTION FOR ADMISSION *PRO HAC VICE* FOR JASON WAGUESPACK WITH SUPPORTING CERTIFICATE OF GOOD STANDING FROM THE LOUISIANA SUPREME COURT, AFFIDAVIT FROM LILI F. BENEDA IN SUPPORT OF THE MOTION FOR ADMISSION *PRO HAC VICE* FOR MICHAEL J. NICAUD WITH SUPPORTING CERTIFICATE OF GOOD STANDING FROM THE LOUISIANA SUPREME COURT, PROPOSED ORDERS FOR ADMISSION *PRO HAC VICE* FOR JASON WAGUESPACK AND MICHAEL J. NICAUD** upon:


Jason Waguespack, Esq.  
Michael J. Nicaud, Esq.  
Galloway, Johnson, Tompkins, Burr & Smith  
One Shell Square, 701 Poydras Street, 40<sup>th</sup> Floor  
New Orleans, Louisiana 70139  
Attorneys for Plaintiff, Peters & May GmbH  
Tel: 504-525-6802  
Fax: 504-525-2456  
E-mail: jwaguespack@gjtbs.com & mnicaud@gjtbs.com

Societe Nationale D'Entreprises  
Joseph G. Khoury  
International Private Company  
P.O. Box 11-8251  
Beirut, Lebanon  
Tel: 961-01-901100  
Fax: 961-01-9022020



ABSAL  
Mr. Simon Abi Saleh  
Mdawar-Rue Al-Kouz  
P.O. Box 175424  
Beirut, Lebanon  
Tel: 1-443536-446675  
Fax: 1-445692-443876  
Email: absaltr@hotmail.com

by mailing a copy of the papers to the attorneys by depositing a true copy thereof enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

  
Robin L. Todd

Sworn to before me this  
19 day of March 2008

  
Notary Public

MARIA PAGAN  
Notary Public, State of New York  
No. 01PA4670337  
Qualified in Queens County  
Commission Expires 10/31/2010